

FILE COPY

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF
THE INVESTIGATION OF

VAL D. ADAMSKI, M.D.,

Licensee

MEMORANDUM AND ORDER ON SETTLEMENT CONFERENCE

TO: Val D. Adamski, M.D.
1313 Summer Range Road
De Pere, WI 54115

Pamela M. Stach
Attorney at Law
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708

An informal settlement conference was conducted in the above-captioned matter before an informal settlement conference committee of the Medical Examining Board on December 18, 1991. The purpose of the conference was to provide interested parties with an opportunity to discuss allegations received pertaining to the practice of Dr. Adamski as a physician, and to attempt to reach a fair and consensual resolution of the matter.

The committee consisted of Dr. W.R. Schwartz and Dr. George W. Arndt. Dr. Adamski appeared in person and without legal counsel. Others present included Wayne Austin, the board's legal counsel, and Pamela R. Stach, attorney for the Department of Regulation & Licensing, Division of Enforcement.

The parties orally presented their respective positions regarding the matter to the committee, and the committee deliberated on a possible disposition of the matter. The committee thereafter presented a proposed Stipulation for Dr. Adamski's

consideration, a copy of which is attached hereto and made a part hereof. The Stipulation was ultimately executed by Dr. Adamski, Ms. Stach, and Dr. Michael P. Mehr, board Secretary.

Based upon the proceedings at the conference, and upon the Stipulation of the parties, the board enters the following order.

ORDER

NOW, THEREFORE, IT IS ORDERED that based on the findings and conclusions in this case, as set forth in the Stipulation of the parties hereto, Dr. Adamski shall, no later than January 1, 1993, complete not less than 15 hours of medical education satisfactory to the board, in addition to continuing medical education required under Wis. Stats. sec 448 13, on problems of the female breast, issues related thereto, and treatment thereof. Should Dr. Adamski, after a good faith effort, fail to find satisfactory coursework within the time prescribed, he may petition the board for an extension of the completion deadline.

IT IS FURTHER ORDERED that the complaint in this matter shall be closed.

Dated this 23 day of January, 1992.

STATE OF WISCONSIN
MEDICAL EXAMINING BOARD

by B. Ann Neviasser
B. Ann Neviasser.
Secretary

WRA:BDLS2:1270

STATE OF WISCONSIN
BEFORE THE MEDICAL EXAMINING BOARD

IN THE MATTER OF
THE INVESTIGATION OF

VAL D ADAMSKI, M.D.,

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STIPULATION

Val D. Adamski, M.D. (Dr. Adamski), and the Medical Examining Board (board), having reached agreement on disposition of the informal complaint identified as 89 MED 049, agree and stipulate as follows:

1. This Stipulation shall be made a part of a Memorandum and Order on Settlement Conference to be issued by the board, and all terms of the Stipulation shall be binding on Dr. Adamski as a part of the board's order.

2. This Stipulation and the board's order shall be placed in Dr. Adamski's permanent file, and may be used if there are further complaints against him

3. Dr. Adamski is licensed to practice medicine and surgery in Wisconsin by license #14721, issued on July 24, 1963, and he resides at 126 South Main Street, Seymour, WI 54165

4. Prior to 1981, patient S.W. was seen at the Hittner Clinic in Seymour by Dr. Hittner, who died in 1980. Dr. Adamski, who at that time practiced at the Hittner Clinic, first saw Patient S.W. in March, 1981, for an abdominal problem.

5. In 1977, Dr. Hittner performed a biopsy of Patient S.W.'s right breast. The resulting pathology report indicated benign breast tissue showing duct ectasia. There is no indication in Dr. Hittner's records whether any treatment of the condition was undertaken.

6. Dr. Adamski saw Patient S.W. for various complaints on April 17, 1981, April 21, 1981, April 27, 1981, June, 1981, November 12, 1981, January 17, 1983, and April 11,

1983. On the latter date, Patient S.W. was admitted to St. Vincent Hospital, Green Bay, with multiple complaints, including headaches, dizzy spells, pain in the lower chest, bilateral neck pain and painful breasts. Some of those complaints dated back a number of months when she had suffered injuries in her employment in a nursing home.

7. At the time of admission, Patient S.W. weighed approximately 250 pounds, and her weight had varied from a high of about 300 pounds to a low of approximately 200 pounds following a gastric bypass procedure performed four years prior to the April, 1983, admission.

8. During the course of the April, 1983, hospitalization, Patient S.W. on a number of occasions discussed with Dr. Adamski the large size of her breasts and they discussed the possibility of their surgical removal. Such discussion is noted in both Dr. Adamski's notes and the nursing notes for April 18, 1983. Dr. Adamski's April 18 admission notes state in part "Breasts - she complains are too pendulous to work with and she is seriously considering them taken off because they give her a backache."

9. A bilateral mammography was performed on April 18, 1983. Craniocaudad and medial lateral views were obtained of each breast. Benign calcifications in each breast were noted, but there was no evidence noted to suggest developing neoplasm.

10. As indicated in Dr. Adamski's progress notes for April 20, 1983, he had planned to discharge patient S.W. on April 21 if the results of testing were satisfactory. On that date, Dr. Adamski discussed with patient S.W. the possibility of removal of Patient S.W.'s breasts, and his note states "patient wants breasts removed for better life - see note." The note referred to has been lost. Dr. Adamski's recollection is that during the course of the April 20 discussion with Patient S.W., he discussed alternatives to a mastectomy and suggested that she consult with a plastic surgeon, but that the patient declined. His recollection is also that based on his discussions with Patient S.W. on that date, including discussions relating to her sexual relationship with her husband, Dr. Adamski felt it unnecessary to recommend psychological counseling on the question of a possible mastectomy.

12. On April 21, 1983, Dr. Adamski performed an elective bilateral simple mastectomy on Patient S.W. at St. Vincent Hospital.

13. In resolution of this matter, Dr. Adamski agrees that by no later than January 1, 1993, he will complete not less than 15 hours of medical education satisfactory to the

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board, in addition to continuing medical education required under Wis Stats. sec. 448.13, on problems of the female breast, issues related thereto, and treatment thereof.

Dated this 6 day of January, 1992.

Val D. Adamski M.D. (See addendum below)
Val D. Adamski, M.D.

Date this 28th day of January, 1992.

Pamela M. Stach
Pamela M. Stach, Attorney
Division of Enforcement

Dated this 23 day of January, 1992.

STATE OF WISCONSIN
MEDICAL EXAMINING BOARD

by B. Ann Neviaser
~~Michael P. Mehr, M.D.~~ B. ANN NEVIASER
Secretary

WRA:BDLS2:1163

Addendum. If I am unable to find a course specifically oriented to (CME) "Diagnosis of Breast" that the Board will afford me an extension on the time limit.
Thank you, Val Adamski M.D.

NOTICE OF APPEAL INFORMATION

**(Notice of Rights for Rehearing or Judicial Review,
the times allowed for each, and the identification
of the party to be named as respondent)**

The following notice is served on you as part of the final decision:

1. Rehearing.

Any person aggrieved by this order may petition for a rehearing within 20 days of the service of this decision, as provided in section 227.49 of the Wisconsin Statutes, a copy of which is attached. The 20 day period commences the day after personal service or mailing of this decision. (The date of mailing of this decision is shown below.) The petition for rehearing should be filed with the State of Wisconsin Medical Examining Board.

A petition for rehearing is not a prerequisite for appeal directly to circuit court through a petition for judicial review.

2. Judicial Review.

Any person aggrieved by this decision has a right to petition for judicial review of this decision as provided in section 227.53 of the Wisconsin Statutes, a copy of which is attached. The petition should be filed in circuit court and served upon the State of Wisconsin Medical Examining Board

within 30 days of service of this decision if there has been no petition for rehearing, or within 30 days of service of the order finally disposing of the petition for rehearing, or within 30 days after the final disposition by operation of law of any petition for rehearing.

The 30 day period commences the day after personal service or mailing of the decision or order, or the day after the final disposition by operation of the law of any petition for rehearing. (The date of mailing of this decision is shown below.) A petition for judicial review should be served upon, and name as the respondent, the following: the State of Wisconsin Medical Examining Board.

The date of mailing of this decision is January 30, 1992.